

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Eastern Division

U.S.A. vs. Dondi Marcel Hutcherson

Docket No. 7:09-CR-136-3FL

Petition for Action on Supervised Release

COMES NOW Kristyn Super, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dondi Marcel Hutcherson, who, upon an earlier plea of guilty to Conspiracy To Possess With Intent To Distribute and Distribution of 500 or More Grams of Cocaine and a Quantity of Marijuana, and Possession of a Firearm by a Felon, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge on April 1, 2010, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Dondi Marcel Hutcherson was released from custody on March 13, 2014, at which time the term of supervised release commenced.

On September 30, 2014, a violation report was submitted to the court advising that the defendant tested positive for cocaine. As this was the defendant's first infraction, supervision was permitted to continue and he was referred to substance abuse treatment at Chemical Dependency Training Evaluation & Guidance (CDTEG) in Jacksonville, North Carolina.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On January 2, 2015, the defendant was charged with Driving While Impaired, Unlawfully Pass Emergency/Public Service Vehicle, and Reckless Driving to Endanger (15CR700012) by the North Carolina State Highway Patrol. According to the defendant, he was driving to Wilmington, North Carolina, to see his daughter when he was pulled over. The arresting officer reported that the defendant's BAC was .11% and he described the defendant as cooperative. As a result of the arrest for Driving While Impaired, a civil revocation of the defendant's driver's license was filed.

On January 13, 2015, the defendant was charged with Driving While License Revoked – Impaired Revocation. The defendant reported that he was driving to work when he was pulled over by the officer. The defendant continued by stating that after 30 days he can apply to have his license reinstated while he awaits the disposition of the criminal matter that led to his license being suspended (Driving While Impaired charge on January 2, 2015). The defendant reported that his license was reinstated on February 13, 2015 and a search of the Department of Motor Vehicles indicated that the defendant's driver's license is currently active.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 30 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Dwayne K. Benfield

Dwayne K. Benfield

Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Kristyn Super

Kristyn Super

U.S. Probation Officer

200 Williamsburg Pkwy Unit 2

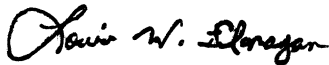
Jacksonville, NC 28546-6762

Phone: 910-346-5104

Executed On: February 23, 2015

ORDER OF THE COURT

Considered and ordered this 27th day of February, 2015 and ordered filed and made a part of the records in the above case.



Louise W. Flanagan

U.S. District Judge